IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Civil Misc. W.P. (M/S) No. 01 of 2006

Jagdish Prasad
S/o Sri Sukhal Prasad & others … **Petitioners.**

Versus

District Magistrate/Collector
Udham Singh Nagar & others … Respondents

Sri S.K. Mandal, learned counsel for the petitioners.
Sri Nand Prasad learned counsel for the respondents.

Dated January 12, 2006.

Hon'ble B.S.Verma, J.

This writ petition has been moved for direction in the nature of mandamus to allow to the petitioners to repay the outstanding amount of the respondent no. 3 in easy instalments.

Brief facts are that the petitioners took a agricultural loan on 12.02.202 for Rs. 2,50,000/- from respondent No. 3. The repayment of the said loan was on half-yearly basis. The petitioners have taken the loan for the purchase of tractor.

In the course of arguments, the learned counsel for the petitioner confined his prayer to the extent that the petitioners are ready and willing to repay the amount under recovery notice in easy instalments and the writ petition may be disposed of finally.

In view of the prayer made by the learned counsel for the petitioners, in my opinion, it will be expedient in the interest of justice to direct the petitioners to repay the loan amount in eight equal quarterly instalments. The first instalment shall be paid within one month from today. The rest of the installments shall be paid in the first week of every month in which they fall due.

Accordingly, the petitioners are directed to repay the amount in question in eight equal quarterly intalments before the

Recovery Officer. In case of default in payment of any of the quarterly instalment, the respondents shall be at liberty to recover the whole amount in lump sum from the petitioners. On payment of the first instalment by the petitioners within one month from today, the tractor shall be released in favour of the petitioners.

With the above observations, the writ petition is disposed of finally.

(B.S.Verma, J.)

12.01.2006
RCP